

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-35053 - APPLICANT/OWNER: THE COOK LIVING TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a BailBond Service use.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Bailbond Service within an existing 1,200 square foot commercial space located at 1616 South Las Vegas Boulevard, Suite #150. The applicant is proposing to operate a Bailbond Service office at the subject location. Currently, the site consists of 13,822 square feet of multi-tenant spaces within a commercial center located within the Las Vegas Boulevard District of the Downtown Centennial Plan. The Las Vegas Boulevard District is the primary tourist commercial and entertainment-directed link between The Strip, Downtown and its varied Districts. The proposed Bailbond Service is not compatible or harmonious with the existing surrounding land uses or with the intended variety of uses for this district, and is located away from the courthouse facilities found in the Office Core District; therefore, staff is recommending denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
10/13/97	The City Council approved a request for the Off-Premise Sale of Package Liquor (U-0075-97) in conjunction with a proposed convenience store at 1616 South Las Vegas Boulevard, Suite #150.
04/06/05	The City Council denied a request for a Special Use Permit (SUP-6004) for a proposed liquor Establishment (Off Premise Consumption) to allow full liquor sales at 1616 South Las Vegas Boulevard. The Planning Commission recommended approval while Staff recommended denial of this request.
01/23/06	The City Council approved a request for a Special Use Permit (SUP-10144) for a proposed Bailbond Service at 1616 South Las Vegas Boulevard Suite #150. The Planning Commission and Staff recommended approval of this request.
10/22/08	A deed was recorded for change of ownership.
<i>Related Building Permits/Business Licenses</i>	
10/23/97	A building permit (#97021532) was issued for a certificate of occupancy at 1616 South Las Vegas Boulevard, Suite #150. The permit was completed on 12/04/97.
05/24/05	A building permit (#5003551) was issued for a certificate of occupancy at 1616 South Las Vegas Boulevard Suite #150. The permit expired on 01/28/06.
08/22/06	A business license (#W01-00108) was issued for a wedding chapel at 1600 South Las Vegas Boulevard Suite #150. The license is still active.
08/22/06	A business license (#P26-00221) was issued for a party planning service at 1600 South Las Vegas Boulevard Suite #150. The license is still active.

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08/22/06	A business license (#H02-01526) was issued for a handbill and oral solicitation at 1600 South Las Vegas Boulevard Suite #150. The license is still active.
08/22/06	A business license (#B23-00028) was issued for a banquet facility at 1600 South Las Vegas Boulevard Suite #150. The license is still active.
02/01/07	A building permit (#7000470) was issued for the tenant improvement for certificate of occupancy at 1616 South Las Vegas Boulevard Suite #120. The permit was completed on 02/20/07.
04/23/07	A building permit (#7001378) was issued for a non-work certificate of occupancy at 1616 South Las Vegas Boulevard Suite #150. The permit was completed on 04/26/07.
09/14/07	A business license (#B05-03024) was issued for a cosmetological establishment at 1600 South Las Vegas Boulevard Suite #110. The license is still active.
07/21/08	A business license (#M16-00111) was issued for a motion picture production company at 1616 South Las Vegas Boulevard Suite #150. The license was marked out of business on 08/27/08.
04/15/08	A business license (#S20-00514) was issued for a secondhand dealer (class IV) at 1616 South Las Vegas Boulevard Suite #140. The license is still active.
<i>Pre-Application Meeting</i>	
06/16/09	<p>A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for Bailbond Service were discussed. Topics included:</p> <ul style="list-style-type: none"> • A parking analysis will be required; per Title 19 the on-site parking requirement for a Bailbond business is one space for each 300 square feet of gross floor area. • The applicant was asked if there will there be any signage associated with the business. If so; the signage must meet the requirements for the Scenic Byway by having signage approved via the DDRC (Downtown Design Review Committee). • Application materials, documents, meeting dates and deadlines were also discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	
<i>Field Check</i>	
07/09/09	<p>During a routine site inspection staff observed:</p> <ul style="list-style-type: none"> • There is adequate space for the proposed location of the facility; the facility will not interfere with on-site parking or circulation. • The subject site contains a commercial shopping plaza with mainly vacant multi-tenant spaces. • There was no landscaping on the site.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	.56 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Tenant/ Commercial	C (Commercial)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Multi-Tenant/ Commercial	C (Commercial)	C-2 (General Commercial)
East	Convenience Store /Restaurant	C (Commercial)	C-2 (General Commercial)
West	Vacant Motel/ Restaurant	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Downtown Centennial Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
Downtown Redevelopment Plan	X		Y
A-O Airport Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>		<i>Provided Parking</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Retail	1,950 S F	1:175	12	4	35	3	Y*
Retail	1,200 S F	1:175	7				
Secondhand Dealer	1,250 S F	1:250	5				

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Bailbond Service	1,200 S F	1:300	4				
General Personal Service	1,200 S F	1:per chair	4				
Retail	1,200 S F	1:175	7				
Retail	1,200 S F	1:175	7				
Retail	1,400 S F	1:175	8				
Wedding Chapel	3,272 S F	1:150	22				
SubTotal	13,822 S F		72				
TOTAL (including handicap)	13,822 S F		76	38			

*The parking requirements at this plaza were previously adequate at the time of completion, however, based on current Title 19 on-site parking requirements for the various uses, the subject site does not have ample parking; and is therefore parking impaired.

ANALYSIS

This is a request for a Special Use Permit for a Bailbond Service office within an existing 13,822 square foot multi-tenant commercial center located at 1616 South Las Vegas Boulevard. Currently, the site consists of 13,822 square feet of multi-tenant spaces within a commercial center located within the Las Vegas Boulevard District of the Downtown Centennial Plan. The Las Vegas Boulevard District is the primary tourist commercial and entertainment-directed link between The Strip, Downtown and its varied Districts. The proposed use as a Bail Bond Service requires a Special Use Permit within the C-2 (General Commercial) zone. However, the use would best be located further north closer to the proximity of the judicial facilities. Parking at the subject site was previously adequate, however, based on current Title 19 standards for onsite parking requirements per the various uses at the center the subject site is parking impaired. Currently, there are 35 regular spaces and three handicap spaces that are non-conforming because there is no code complying side access aisle for the handicap spaces. If the tenant spaces are calculated by the current Title 19 standards for on-site parking requirement there would be a need for 72 regular spaces and four handicap spaces – one of which would have to be handicap van accessible. Therefore, the proposed use is also not compatible with the design standards of the current uses within the surrounding area and staff recommends denial.

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FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Bailbond Service is not compatible or harmonious with the existing surrounding land uses or with the intended variety of uses for this district.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The site is physically suitable for the type and intensity of land use proposed as this area is designated for this and other similar type uses.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Access to the site is via driveways from Las Vegas Boulevard which is a 100-foot wide Primary Arterials and Wyoming which is a local secondary collector, according to the Master Plan of streets and Highways. .

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed BailBond Service would be subject to inspections and would therefore not compromise public health and safety.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed use wants all applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT

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SENATE DISTRICT 10

NOTICES MAILED 166

APPROVALS 1

PROTESTS 3